

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: WORLD TRADE CENTER LOWER  
MANHATTAN DISASTER SITE LITIGATION

21 MC 102 (AKH)  
ECF CASE

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THIS DOCUMENT APPLIES TO ALL CASES  
IN THE WORLD TRADE CENTER LOWER  
MANHATTAN DISASTER SITE LITIGATION  
IN WHICH FGP 90 WEST STREET, INC.  
IS A DEFENDANT.

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**Notice of Motion by Defendant FGP 90 West Street Inc. to Compel  
the Deposition of Non-Party Safeway Environmental Corp. and/or Donald Adler**

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law submitted by defendant FGP 90 West Street Inc. (“FGP 90 West”), dated November 1, 2013, and the accompanying Declaration in Support of FGP 90 West’s Motion to Compel and the exhibits thereto, sworn to on November 1, 2013, the undersigned attorneys for FGP 90 West will move this Court at the Courthouse for the United States District Court for the Southern District of New York, 500 Pearl Street, Courtroom 14D, New York, New York 10007, for an order compelling non-party Safeway Environmental Corp. and/or Donald Adler to immediately comply with the deposition subpoena served by defendant FGP 90 West on May 1, 2013, and for such other and further relief as the Court may deem just and proper.

Dated: November 1, 2013  
New York, New York

DLA PIPER LLP (US)

By: /s/ John Vukelj

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